

Landmark Accord Reached on Use of Bay-Delta Water

By FRANK CLIFFORD
TIMES ENVIRONMENTAL WRITER

In an historic accord that marks at least a temporary end to the bitter struggle over California's most precious water resource, Gov. Pete Wilson and senior members of the Clinton Administration signed an agreement Thursday to protect the Sacramento Delta estuary and provide reliable water supplies to farms and cities across the state.

Flanked by Secretary of the Interior Bruce Babbitt and U.S. Environmental Protection Agency administrator Carol Browner, Wilson declared that the three-year accord "signals a cease-fire in the water wars that have too long plagued California."

The agreement requires that consumers give up more water for environmental protection of the delta at the confluence of the

Sacramento, San Joaquin and a host of lesser Northern California rivers—about 1.1 million acre-feet in severely dry years and about 400,000 acre-feet in normal years.

But the agreement closely parallels proposals by a coalition of urban and agricultural interests. And it will provide "an affordable and reliable future water supply," said John R. Wodraska, general manager of the Metropolitan Water District, which delivers water to 16 million Southern California customers.

"This is really a big deal for California agriculture," said Dan Nelson of the San Luis and Delta-Mendota Water Authority, one of the largest water users in the Central Valley. The agreement has been coming together for several months, but pulling it off required a final week of marathon negotia-

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tions and significant federal concessions over how much water is required to support the delta's ailing aquatic life, including two endangered species, the delta smelt and the winter-run chinook salmon. Of the delta's 20 native fish species, at least half a dozen are in decline.

Often described as a crossroads of environmental and economic interests, the delta is the largest wetland habitat in the western United States and is home to 120 species of fish. It also collects half of the state's annual runoff, provides 60% of the fresh water used in California and is the source of irrigation water for 45% of the nation's fruits and vegetables.

Representatives of three environmental groups participated in the negotiations, and Thursday they stood on the podium with Wilson and signed the agreement.

"It finally secures significant environmental improvements for the bay-delta estuary," said John Krautkraemer of the Environmental Defense Fund.

Others on the environmental side were even more effusive in their praise of the so-called bay-delta agreement.

"Today's agreement marks the first time in the 92-year history of federally supported water development in the western United States that all water interests have embraced a comprehensive and scientifically sound approach to water management and species protection," said Rep. George Miller (D-Martinez), outgoing chairman of the House Natural Resources Committee and one of Congress' leading defenders of environmental causes.

However, Miller's enthusiasm was not universally shared among environmental activists.

"On the basis of respected independent scientists, there is no assurance that California salmon will survive this political compromise," said state Sen. Tom Hayden, a

Santa Monica Democrat.

For the Clinton Administration, which is girding for a Republican assault on a variety of environmental regulations, the pact offers an opportunity to argue that it can be flexible on crucial issues. That is particularly so in regard to one of the most embattled conservation laws, the Endangered Species Act.

"It [the agreement] allows us a very powerful case study that the Endangered Species Act is workable and can play an important role in finding the balance between the economy and the environment," Babbitt said.

For Wilson, who has been accused in the past of walking away from potential solutions to the delta impasse, the signing ceremony at the State Capitol was a moment to savor.

He had insisted that he would not go along with any plan that did not change the way that federal agencies, in charge of administering the Endangered Species Act, dictated the flow of water available to consumers.

Wilson has contended that implementation of the act led to arbitrary interruptions of water supplies that made it impossible for water agencies to calculate future supplies or costs.

As a first step, Wilson called for federal agencies, including the EPA, the Department of the Interior and the Department of Commerce, to begin coordinating their approaches to environmental regulation. That coordination, which began last year, was a first step in the lengthy process that culminated in Thursday's signing.

Yet it was a series of events independent of the governor that created much of the momentum for the accord.

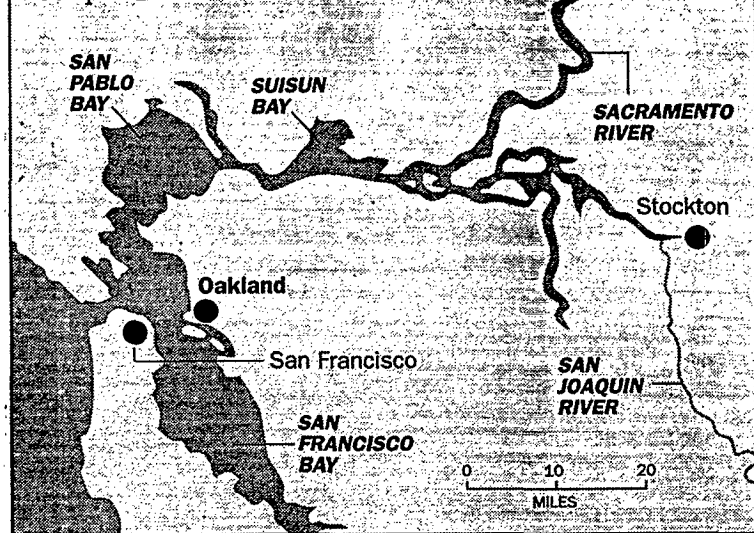
Last March, Standard & Poor's, the nation's largest financial rating service, warned that if something were not done to end the delta water dispute, the state's credit rating, already hurt by the recession, could be further weakened.

The warning prompted a dozen

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Delta Agreement

State and federal officials announced a plan to restore the environmental health of the estuary that stretches from San Francisco Bay to the Sacramento-San Joaquin Delta.



Los Angeles Times

Here are the key points of the agreement:

- New standards for salinity of delta water and Suisun Bay, the nation's largest brackish marsh.
- Water guaranteed for environmental needs in the delta: 400,000 acre-feet in wet years, 1.1 million acre-feet in extreme drought years.
- No new species to be listed as threatened for at least three years.
- Increased role of the state in delta water policy.
- Water users will bankroll fund to reduce fish loss by installing screens and other steps.

top executives of leading California businesses to write to Wilson and Clinton that if state and federal officials did not come up with an acceptable delta policy, the economic recovery in California could be jeopardized.

By midsummer, negotiations between state and federal officials began to show progress on one of the most important elements in the

accord—a standard to govern how much water must be allowed to flow past diversion pumps in order to establish a healthy balance between fresh and salt water in the estuary inland from San Francisco Bay.

Meanwhile, progress on another front was being made by a coalition of urban and agricultural

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water users under the leadership of Wodraska and Nelson.

They began lobbying in Washington and Sacramento for a plan that became the basis for the accord. The Wilson Administration endorsed the plan, but elsewhere it was not an easy sell. It called for reserving several hundred thousand acre-feet less water for environmental needs in critically dry years than was being recommended by federal officials.

Some of the same environmentalists who ultimately signed the accord argued that the coalition's plan would lead to the extinction of endangered fish.

But the Republican Party's triumph in the November election changed the political environment in such a dramatic way that the coalition's proposal, with some modification, began to look like the best deal that might be struck on the delta.

Nelson pointed out that it was a fragile coalition and that if all sides could not come to an agreement fairly quickly, many in the agricultural community might opt for a more drastic strategy, betting on the ability of the new Republican majority to gut the Endangered Species Act.

For federal officials to endorse the plan, they had to find a credible way to back away from the theory that it was necessary to leave an additional 1.4 million acre-feet of water in the delta in dry years.

According to the theory, it would take that much water, pushing fish downstream through the delta, to overcome the powerful draw of the giant diversion pumps that kill fish in the process of capturing water for urban and agricultural consumption.

The coalition of agricultural and urban water agencies argued that the strong tidal pull was enough to offset the influence of the pumps.

In the end, federal officials took the position that there was not adequate scientific evidence to justify either theory. At the same time, negotiators sought to make the coalition approach more palatable by decreasing pumping during the spring when downstream migrations of key species are at their peak.

The Department of the Interior sweetened the pot with an offer to pay for any water, above and beyond the water guaranteed for the delta, needed to prevent yet another species from becoming endangered.

"This says the federal government is at risk for the cost of any additional water," Babbitt said.

In addition, the coalition of water users agreed to bankroll a \$60-million fund that will be used to offset a variety of harmful impacts on the delta—from toxic discharges to non-native fish and plant life that prey on native species and threaten the health of the estuary.